

# McDermott Will & Emery

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April 25, 2012

## **BY ELECTRONIC MAIL AND HAND DELIVERY**

The Honorable Shira A. Scheindlin  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street, Room 1620  
New York, New York 10007-1312

Re: Master File C.A. No. 1:00-1898 (SAS), M21-88, MDL No. 1358  
*Defendants' Pre-Conference Letter for May 2, 2012 Status Conference*

Dear Judge Scheindlin:

Defendants respectfully submit this letter for the May 2, 2012 status conference.<sup>1</sup>

## **DEFENDANTS' AGENDA ITEMS**

### **I. NJDEP's Delineation of the Tamcrest Trial Site**

As required by the Court's orders, Defendants designated certain sites for purposes of limited discovery and then as trial sites. One of those sites is the former Tamcrest Country Club. This site is identified by the NJDEP as Site ID No. 59237. Plaintiffs produced delineations for Defendants' trial sites on June 6, 2011. However, Plaintiffs appear to have incorrectly delineated the Tamcrest site – producing, instead, a delineation for the Montammy Golf Club (Site ID # 53738). The former Tamcrest Country Club is not captured at all on this delineation.

Defendants first communicated this issue to Plaintiffs and requested a revised delineation on September 15, 2011. *See Letter from M. Spears to S. Kauff* (Sept. 15, 2011) (Ex. A). Plaintiffs did not respond to that letter. Nor did Plaintiffs correct this delineation on January 16, 2012, when they had the opportunity to revise their delineation for all trial sites. Defendants inquired again about this issue on April 13, 2012, but still have not received any response.

We regret burdening the Court with this issue, but Plaintiffs' refusal to respond leaves us no choice. This issue must be resolved promptly because it impacts Defendants' ability to

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<sup>1</sup> Defendants respectfully request a short extension of the Court's page limitation.

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complete fact and expert discovery by the Court's deadlines. Because defendants must know what area Plaintiffs claim is at issue with respect to the former Tamcrest Country Club site, we ask that the Court order production of a correct delineation by no later than May 11, 2012. In addition, Defendants request that the Court instruct Plaintiffs to expedite responses to any site-specific discovery Defendants may need to serve after receiving the new delineation. Finally, Defendants reserve their rights with respect to the naming of third parties, if any, within Plaintiffs' corrected delineation.

## **II. Puerto Rico Plaintiff's Failure to Delineate its Trial Sites**

As the Court is aware, Plaintiff was required to produce discovery concerning "Focus Sites" in 2011, including site delineations for each of the parties' focus sites. *See* May 23, 2011 Order. At Plaintiff's request, Defendants agreed that Plaintiff could stage its production of this information. Specifically, we agreed that Plaintiff could (1) limit its initial production of Focus Site information, including site delineations, to only Defendants' Focus Sites, and (2) produce discovery responses (including site delineations) for Plaintiff's 10 Trial Sites within 30 days of Plaintiff's designation of those sites. *S. Riccardulli E-Mail to A. Dias* (June 13, 2011) (Ex. B).

Notwithstanding the Court's order, the parties' agreement, and our granting Plaintiff a second extension of time to produce this discovery, Plaintiff now refuses to provide delineations for any of its ten Trial Sites. Plaintiff's responses state that such "boundaries will be determined in expert reports." *See e.g., Plaintiffs' Responses to Defendants' First Set of Interrogatories and Requests for Production of Documents Regarding Plaintiffs' Trial Site – Esso 20-448*, at pg. 4 (relevant pages attached at Ex. C). This is just the latest example of Plaintiff's discovery gamesmanship in this case. As this Court knows from the NJDEP matter, these site delineations are critical to helping the parties – and the Court – focus *fact* discovery by identifying the water resources, wells and other facilities that are relevant to Plaintiff's claims. Putting aside Plaintiff's commitment to provide these delineations months ago (and the Court's order for same), Plaintiff's latest offer to produce them only during expert discovery is far too late in time to permit us to take the necessary fact and expert discovery that these delineations are likely to require. In short: Plaintiff's refusal to honor its commitment and its continued delay will set back the entire discovery schedule.

Defendants have demanded that Plaintiff produce the required delineations by April 27th. Plaintiff has requested a meet and confer to discuss another extension of time to produce these materials. Defendants will advise the Court of the result of that meet and confer.

## **III. Puerto Rico Plaintiff's "Discovery" Requests regarding Non-test Sites**

Defendants have asked Your Honor to dismiss with prejudice the approximately 400 sites for which Plaintiff admits it has no evidence of MTBE detections. As Your Honor will recall, just three weeks ago – at the oral argument on Defendants' motion for sanctions – Plaintiff's counsel stood before the Court and represented that it believed some laboratory data "may" exist

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for these sites and that this data “may” demonstrate the presence of MTBE. Plaintiff’s counsel told the Court that it would do two things to try and get this data: (1) serve a Rule 34 document request on Defendants, and (2) issue administrative orders against certain non-parties with some relationship to these 400 sites. Plaintiff’s counsel told the Court that it could and would do both of these things “by the end of the week” – *i.e.*, April 13, 2012. However, nothing happened on April 13, 2012. Indeed, the Rule 34 requests and administrative orders were not served the following week either. One might expect greater urgency from Plaintiff given its representation to the Court at oral argument, and given that the Court first told Plaintiff it faced dismissal of these sites more than three months ago, at the January conference.

Plaintiff waited more than two weeks before finally acting. But the action Plaintiff took looks **nothing** like the limited “discovery” it represented was necessary to determine if laboratory data existed, and it looks **nothing** like the limited Rule 34 request and administrative orders that Your Honor heard about and approved. Rather, Plaintiff served discovery requests that are virtually identical to those that were propounded with respect to the **trial** sites. *Plaintiffs’ First Set of Interrogatories and Request for Production of Documents Regarding Non-Test Sites* (Ex. D). These demands do not seek just testing or laboratory data, they seek everything from site documents to remediation files to property ownership records. They even demand that Defendants conduct site delineations – something Plaintiff has been unwilling to do for these non-Focus/non-Trial sites.

Worse, Plaintiff directs this overly broad discovery at sites never before put at issue in the litigation. Indeed, the requests are directed to at least 22 sites that were not identified on Plaintiff’s 2010 site list. Notwithstanding that Plaintiff is not entitled to take “discovery” of sites not at issue in this matter, its attempt to increase the universe of sites at issue comes far too late. Indeed, the Commonwealth’s investigation regarding the presence of MTBE should have happened years before it filed this lawsuit in 2007, and certainly before the Court ordered it to produce a list of sites at issue in 2010. Plaintiff’s discovery violates both the spirit and letter of Plaintiff’s representations and the parties’ discussions with the Court at the last hearing.

Five years into this litigation, facing dismissal with prejudice, having promised the Court limited discovery and having been told to conduct limited discovery specifically for testing data, Plaintiff has served up a broadside of full discovery that looks nothing like what it promised; that violates numerous CMOs; and, indeed, that was not even allowed for the discovery sites selected in this case. Plaintiff’s representations at oral argument were clear. So were Your Honor’s instructions. Plaintiff’s discovery looks nothing like either.

Plaintiff has known for years that it lacked any proof of MTBE at these 400 sites, but chose to say nothing until this lack of evidence was exposed by Defendants. Plaintiff was told months ago that they faced dismissal on these sites and might only have six months to conduct limited discovery, if at all. Plaintiff was told mere weeks ago what “discovery” they were permitted to take (a Rule 34 request) to try and salvage these sites. Plaintiff waited two more weeks and then ... simply ignored Your Honor’s directive and did what it wanted.

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Plaintiff's conduct has no place in any judicial proceeding, and certainly not one where it ostensibly is trying to salvage claims which never should have been asserted in the first place. Enough is enough. Defendants respectfully ask the Court to (1) enter a protective order relieving Defendants of any obligation to respond to this unpermitted discovery (or simply strike the discovery altogether), and (2) dismiss the 400 non-test sites from this matter with prejudice.

**IV. Deadline for Puerto Rico Plaintiff to Reduce Trial Sites**

During a hearing on April 12, the Court ordered Plaintiff to reduce the number of its trial sites from 10 to 7. However, the Court did not set a deadline by which Plaintiff had to indicate which sites they were dropping from the first trial in this matter. On April 20, Defendants requested that Plaintiff identify which three sites would be dropped from this first trial by April 27th. Late this afternoon, Plaintiff indicated that it would meet this requested deadline. Defendants will remove this issue from the agenda if we receive the information by the date promised.

**V. Further Discussion on New Jersey Defendants' Motions if Desired by the Court**

Two *New Jersey* motions remain pending before the Court: Defendants' Motion to Compel Production of Documents and Testimony Regarding NJDEP's Knowledge of the Risks and Benefits of MTBE and Ethanol (the "Deliberative Process Motion") and Defendants' Motion Challenging the Sufficiency of Plaintiffs' Deliberative Process Privilege Log Entries (the "Privilege Log Motion"). As to the Deliberative Process Motion, Defendants understand that the Court is in the process of reviewing documents submitted by Plaintiffs for *in camera* review, but will be prepared to discuss this motion if the Court so desires.

As to the Privilege Log Motion, argument on each of the challenged entries may not be necessary, as many of the deficiencies are clear from the face of the log entry. *See e.g. Privilege Log Entry for NJDEP-ESI-00005003* ("Email chain from Judy Louis to Pat Bono and Sandy Krietzman regarding 'Important: Revision to Sandy MTBE Table.' Pre-decisional Deliberative Issue: Discusses actions that may or not be taken by the Department."). However, Defendants will be prepared to discuss Plaintiffs' log entries at the May 2nd conference should the Court have any additional questions.

**VI. Defendants' Outstanding Discovery Requests to NJDEP Plaintiffs**

During the course of discovery, and particularly through deposition testimony, Defendants have learned of various documents or sets of documents responsive to outstanding discovery requests that have not yet been produced by Plaintiffs. This is not an uncommon occurrence in litigation, and Defendants do not raise this issue to complain about Plaintiffs' *initial* failure to produce these responsive documents. However, Defendants have now written Plaintiffs numerous letters requesting production of the identified materials and have often received no response. A list of the outstanding requests was sent to Plaintiffs on March 29 and is

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attached at Exhibit E (*Ltr. from S. Riccardulli to L. Kaufmann* (Mar. 29, 2012).) Defendants requested a response to that letter by April 12, 2012, but were told by Plaintiffs, on April 11, that they required more time and would respond “more likely by April 20.” *E-Mail Chain, L. Kaufmann to L. Gerson* (Apr. 11, 2012) (Ex. F). April 20th has come and gone without response. *Id.* With the time for discovery waning, Defendants cannot afford to continue their fruitless letter-writing campaign, and request that the Court order Plaintiffs to produce the requested material by Friday, May 11, 2012 or, if unavailable for production, describe the efforts made to search for the materials.

As just one example of the requested materials, during a June 2011 deposition, Defendants learned of a set of volatile organic compound sampling results from the early 1990’s—the “A-280 sampling results”—maintained by the NJDEP in either microfiche or, possibly, electronic form. Defendants requested production of that data during the deposition, repeated that request in writing on July 1, 2011, again on October 28, 2011 and, most recently, on March 29, 2012. The information is relevant to Plaintiffs’ damage claims and at least one of Defendants’ affirmative defenses. It also is responsive to outstanding written discovery. *E.g. Defendants’ First Set of Interrogatories and Document Requests*, Request No. 5 (Mar. 11, 2009). There is no justification for Plaintiffs to deny Defendants’ request, and even less of a justification for their failure even to respond to our various letters requesting these materials.

## **VII. New Jersey Plaintiffs’ Delays in Scheduling 30(b)(6) Depositions**

With the close of discovery looming, Defendants wish to bring to the Court’s attention a troubling pattern of delay regarding the scheduling of depositions—particularly 30(b)(6) depositions. On March 2, 2012, Defendants wrote to Plaintiffs to identify a backlog of approximately 30 noticed, but yet-to-be-scheduled, depositions and to request proposed dates for the same. *Ltr. From S. Riccardulli to L. Kaufmann* (Mar. 2, 2012) (at Ex. G). Although scheduling as to a number of percipient witnesses did occur, there has been nearly no movement on 30(b)(6) deposition scheduling, an issue Defendants raised with Plaintiffs in a second letter, dated March 12. *Ltr. From S. Riccardulli to L. Kaufmann* (Mar. 12, 2012) (at Ex. H). These 30(b)(6) notices cover both non-site-specific issues—such as a 30(b)(6) on Early MTBE Remediation, first served last April—and site-specific issues related to the Trial Sites. As to the former category, Plaintiffs have offered no excuse for delay, but simply have not provided dates.

As to the site-specific notices, Plaintiffs previously stated that they would not proceed with scheduling until their motion for protective order regarding the Shell Trial Site 30(b)(6) was resolved.<sup>2</sup> However, Special Master Warner had a different schedule in mind. He instructed Defendants to identify to Plaintiffs those trial site depositions that would *not* raise issues similar to that which were raised in Plaintiffs’ motion for protective order. Defendants did so on April

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<sup>2</sup> The issue to be resolved was the extent to which Defendants would be permitted to question NJDEP about “other” sites within Plaintiffs’ trial site delineation.



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17, identifying ten (out of nineteen) trial sites that would not raise issues of “other” release sites and, therefore, could be scheduled immediately. Despite Mr. Warner’s clear instruction to proceed quickly, Plaintiffs have not provided dates for any of these depositions over the past week. At this point, there is nothing standing in the way of these depositions other than Plaintiffs’ failure to provide dates. Of course, every day that passes without scheduling these depositions brings us one day closer to the close of fact discovery. Therefore, Defendants request that the Court order Plaintiffs to immediately provide dates for all noticed depositions (other than those currently part of the meet and confer process ordered by the Special Master).

As always, we appreciate your Honor’s attention to this matter and ask that this letter be docketed by the Clerk’s Office so that it is part of the Court’s file.

Respectfully submitted,

A handwritten signature in cursive script, reading "Peter John Sacripanti".

Peter John Sacripanti

cc: All Counsel By LNFS, Service on Plaintiffs’ Liaison Counsel

# **EXHIBIT A**



Sep 15 2011  
2:36PM

Sedgwick<sub>LLP</sub>

Mari C. Spears  
mari.spears@sedgwicklaw.com

September 15, 2011

**VIA LNFS AND ELECTRONIC MAIL**

Scott E. Kauff, Esq.  
Law Offices of John K. Dema, P.C.  
11300 Rockville Pike, Suite 112  
Rockville, Maryland 20852

Re: *New Jersey Department of Environmental Protection, et al. v. Atlantic  
Richfield Corp., et al.*, No. 08 Civ. 00312  
Former Tamcrest Country Club Site ID #59237

Dear Mr. Kauff:

Defendants write to bring to your attention a discrepancy in Plaintiffs' delineation for the former Tamcrest Country Club Site, ID #59237 ("Tamcrest Site") in Attachment A to your June 6, 2011. Based on Defendants' review, Plaintiffs' delineation does not appear to encompass the area of the Tamcrest Site. Because a Rule 30(b)(6) deposition has been noticed for this site, we request that Plaintiffs promptly review the delineation and, by no later than September 23, 2011, either confirm that the delineation you provided reflects Plaintiffs' allegations as to the geographic scope of the Tamcrest Site, or provide a revised delineation. If we do not hear from you, we will assume that your June 6, 2011 letter accurately reflects Plaintiffs' allegations regarding the delineation of the Tamcrest Site.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Very truly yours,

  
Mari C. Spears

cc: All Counsel of Record via LNFS



## **EXHIBIT B**

**Sneed, Sam**

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**From:** Riccardulli, Stephen  
**Sent:** Monday, June 13, 2011 7:35 PM  
**To:** 'Aaron Dias'  
**Cc:** maxline@toxictorts.org; Dillon, Michael  
**Subject:** MDL 1358: Puerto Rico: Meet and Confer

Aaron,

I write to follow up on our meet and confer from last week. Specifically, I write to respond to Plaintiffs' request for an extension of time to respond to defendants' site-specific discovery requests and Plaintiffs' requests to narrow the scope of those request to only those discovery sites designated by Defendants.

Scope of Requests: Although Defendants served Interrogatories and Requests for Production related to all 40 discovery sites, Plaintiffs have requested that the Defendants agree to limit the scope of the requests to only the 20 discovery sites designated by Defendants. Defendants are willing to so narrow the scope of the requests, provided that Plaintiffs are willing to answer the discovery on an expedited schedule once Plaintiffs designate their 10 trial sites. Defendants believe this condition to be reasonable considering that Plaintiffs did not make their request until after the 30 day time period to respond had expired. Additionally, by the time the parties designate trial sites, Plaintiffs will have had these requests for more than 6 months. While Defendants are willing to forgo responses at this time as to the Plaintiffs' sites, we do not see why it would take Plaintiffs 30-days to respond to these requests after trial sites are designated. Accordingly, we'll agree to narrow the scope of the requests to Defendants' 20 discovery sites provided Plaintiffs agree to respond to these requests as to their 10 trial sites by no later than November 21, 2011.

Time to Respond: Plaintiffs requested until the end of June 2011 to respond to Defendants' requests. During the meet and confer, Plaintiffs indicated a willingness to provide responses on a rolling basis to be completed by June 30th. Defendants will agree to extend the deadline to June 30th provided Plaintiffs respond on a rolling basis. In light of the fact that Plaintiffs did not request the extension until after the original deadline to respond had expired, Defendants expect that the rolling production of responses would begin on June 18th and be completed by June 30th.

Please let us know if these conditions are acceptable to Plaintiffs. If you have any questions, let us know and we'll schedule a call.

Regards,

Stephen J. Riccardulli  
McDermott Will & Emery LLP  
340 Madison Avenue  
New York, New York 10173-1922  
tel (212) 547 - 5579  
fax (212) 547 - 5444

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## **EXHIBIT C**



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**In re: Methyl Tertiary Butyl Ether ("MTBE")**  
**Master File C.A. No. 1:00-1898 (SAS)**

MDL No. 1358

M21-88

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This document relates to:

*Commonwealth of Puerto Rico, et al. v.*  
*Shell Oil Co., et al.*, 07 Civ. 10470

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**PLAINTIFFS' RESPONSES TO DEFENDANTS' FIRST SET OF  
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS  
REGARDING PLAINTIFFS' TRIAL SITE - ESSO 2P-448**

Plaintiffs Commonwealth of Puerto Rico and Commonwealth of Puerto Rico through the Environmental Quality Board ("Plaintiff," "Commonwealth," or "PREQB"), by and through its attorneys, makes the following Responses and General Objections to Defendants' ("Defendants'") First Set of Interrogatories and Requests for Production of Documents Regarding Plaintiffs' Trial Site – ESSO 2P-448 (the "Interrogatories and Document Requests").

**GENERAL OBJECTIONS**

1. The Commonwealth objects to the Interrogatories and Document Requests to the extent they seek information or documents outside the scope of discovery permissible under the Federal Rules of Civil Procedure.

2. The Commonwealth objects to the Interrogatories and Document Requests to the extent they seek information covered by the attorney-client privilege, the work product doctrine,

Such information is subject to all objections regarding relevance, authenticity, materiality, propriety, admissibility and any other objections that would require exclusion of the information if such information were offered as evidence at trial, all of which objections are hereby expressly reserved and may be interposed at time of trial.

11. The Commonwealth objects to the Interrogatories and Document Requests to the extent they seek information that is confidential, sensitive, proprietary or subject to privacy restrictions. The Commonwealth responds on the condition that the inadvertent production of documents that contain confidential, sensitive or private information does not waive the Commonwealth's right to protect this information and to seek recovery of any such information or documents that are inadvertently produced.

12. The Commonwealth's General Objections apply to each of Defendants' Interrogatories and Document Requests as though restated in full therein.

**RESPONSES TO INTERROGATORIES**

**INTERROGATORY NO. 1:**

IDENTIFY what YOU allege are the GEOGRAPHIC CONTOURS of ESSO 2P-448, and IDENTIFY (by PWS Number, Well ID, PI Number and Site ID) any SUPPLY WELLS, WATER RESOURCES or other SITES (whether historic, presently active or otherwise) that you allege are impacted or threatened by a release of MTBE or gasoline with MTBE at ESSO 2P-448.

**RESPONSE TO INTERROGATORY NO. 1:**

Plaintiffs object to this Interrogatory. The Interrogatory seeks expert opinions and expert discovery has not yet been authorized by the Court. Plaintiffs have previously made all business records for Trial Site ESSO 2P-448 available to defendants. Therefore, the burden of identifying the geographic contours of ESSO 2P-448, as well as supply wells, water resources or

other sites that are impacted or threatened by a release of MTBE or gasoline with MTBE at Trial Site ESSO 2P-448 is substantially the same for defendants as it would be for plaintiffs.

Notwithstanding such objection, documents that identify the facility boundaries for ESSO 2P-448 include PR-MTBE\_159530-159866, and particularly the figures set forth on PR-MTBE\_159546-159548; PR-MTBE\_159427-159456, and particularly the figures set forth on PR-MTBE\_159446-159449; PR-MTBE\_291536-291989, and particularly the figures set forth on PR-MTBE\_291563-291565; XOM-PR-00233306-00233446, and particularly the figures set forth on XOM-PR-00233326-00233331; XOM-PR-00234587-00234687, and particularly the figures set forth on XOM-PR-00234616-00234619; XOM-PR-SC448-000688-000810, and particularly the figures set forth on XOM-PR-SC448-000709-000712, and XOM-PR-SC448-000714

To the extent that this interrogatory is seeking the geographic boundaries of areas potentially impacted by releases from this Site (as opposed to the boundaries of the Site itself), those boundaries will be determined in expert reports. The Environmental Assessments prepared for this Site, however, including the 2008 Phase II Report found at PR-MTBE\_310411 – 310746, state that groundwater flow direction beneath the site is to the North. Wells located to the North and downgradient of this Site are therefore threatened by the MTBE that has been released at this site. Such wells are listed below by USGS site ID.

USGS Site IDs: 180009065534200 MAUNABO VIEJO WELL,  
180027065541700 MAUNABO 3 WELL,  
180043065543200 DOM WELL,

Defendants have previously been provided with the locations of these wells. See Bates: PR-MTBE\_347311-PR-MTBE\_347339.

Water resources that are impacted, threatened or concerning MTBE release from Trial

## **EXHIBIT D**





Apr 23 2012  
4:23PM

LAW OFFICES OF JOHN K. DEMA, P.C.  
ATTORNEYS-AT-LAW

JOHN K. DEMA  
ADMITTED USVI-CA  
jdema@lojkd.com

SCOTT E. KAUFF, OF COUNSEL  
ADMITTED DC-MD-NJ-PA  
skauff@lojkd.com

April 23, 2012

**VIA LNFS and Express Courier: SRiccardulli@mwe.com**


Stephen J. Riccardulli, Esq.  
McDermott Will & Emery  
340 Madison Avenue  
New York, New York 10173-1922

**RE: Commonwealth of Puerto Rico, et al. v. Shell Oil Co., et al., 07-civ-10470**

Dear Stephen,

Enclosed please find Plaintiffs' First Set of Interrogatories and Request for Production of Documents Regarding Non-Test Sites.

Regards,



Nathan P. Short

cc: Michael Dillon, Esq.  
John K. Dema  
Michael Axline  
All Counsel by LNFS

1236 STRAND STREET, SUITE 103  
CHRISTIANSTED, ST. CROIX, USVI 00820  
TELEPHONE: (340) 773-6142  
FACSIMILE: (340) 773-3944

11300 ROCKVILLE PIKE, SUITE 112  
ROCKVILLE, MARYLAND 20852  
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FACSIMILE: (240) 536-9108

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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In Re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation

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**Master File No. 1:00 - 1898  
MDL 1358 (SAS)  
M21-88**

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**This Document Relates To:**  
*Commonwealth of Puerto Rico, et al. v.*  
*Shell Oil Co., et al.*, No. 07 Civ. 10470

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**PLAINTIFFS' FIRST SET OF INTERROGATORIES AND REQUEST FOR  
PRODUCTION OF DOCUMENTS REGARDING NON-TEST SITES**

Pursuant to the Federal Rules of Civil Procedure, Plaintiffs, the Commonwealth of Puerto Rico and the Commonwealth of Puerto Rico through the Environmental Quality Board ("Plaintiff" or "Commonwealth"), by their undersigned attorneys, hereby propound the following Interrogatories and Requests for Production of Documents upon Defendants to be answered by Defendants upon oath and within (30) days of the service hereof. Pursuant to the Federal Rules of Civil Procedure, these interrogatories and requests for production of documents (collectively referred to as "requests") are of a continuing nature, requiring modified or supplemental responses if additional, supplemental responsive information is obtained.

These requests are to be answered in accordance with the following definitions and instructions, and these definitions and instructions are hereby incorporated by reference into each request. Please direct responses to the undersigned at the Law Offices of John K. Dema, P.C.

**INSTRUCTIONS AND DEFINITIONS**

A. All definitions contained in Local Civil Rule 26.3 of the United States

District Court for the Southern District of New York are incorporated herein by reference. You may review these Rules at <http://www.nysd.uscourts.gov/rules/rules.pdf>.

B. These requests are directed to each Defendant and concern all information within the Defendant's custody and control, including information any officer, director, general partner, limited partner, joint venturer, agent, servant, employee or attorney of the Defendant possesses; information in the possession of any other person acting on the Defendant's behalf or otherwise subject to the Defendant's control; and any information in the possession of any merged, consolidated, or acquired predecessor, successor, parent, subsidiary, division or affiliate of the Defendant.

C. If the Defendant lacks information to respond to a particular request, in whole or in part, the Defendant shall state or identify: 1) the currently available information; 2) any currently unavailable information; 3) the efforts the Defendant has taken, or will take, to obtain the currently unavailable information; and 4) when the Defendant expects to obtain this information. Further, if the Defendant believes any other individual or entity may have information that responds to a specific request, in whole or in part, the Defendant shall provide the individual or entity's: 1) name, address and telephone number and 2) a brief description of the information the Defendant believes the entity or individual possesses.

D. If the Defendant no longer possesses any DOCUMENT the Plaintiffs request, the Defendant shall identify the DOCUMENT, and indicate: 1) what was done with the DOCUMENT; 2) the name, address and telephone number of each individual responsible for, or otherwise involved with, transferring or disposing of the DOCUMENT; 3) the reason(s) the DOCUMENT was disposed of or transferred; and 4)

the name, address and telephone number of the DOCUMENT'S custodian, if known.

E. If the Defendant believes any information the Plaintiffs request is privileged and/or protected, in whole or in part, the Defendant shall state or provide the following: 1) the DOCUMENT 's title; 2) the DOCUMENT type (e.g., memorandum, correspondence, report, etc.); 3) the name, address and telephone number of each author or signatory; 4) the name, address and telephone number of each recipient; 5) the date the DOCUMENT was prepared; 6) the privilege(s) and/or protection(s) the Defendant is asserting; 7) the factual bases for the Defendant asserting the privilege(s) and/or protection(s); and 8) a summary of the information the Defendant is not producing to enable a court of competent jurisdiction to rule whether the information is privileged and/or protected.

F. If the Defendant deletes (i.e., redacts) anything from a DOCUMENT it produces in response to these interrogatories, the Defendant shall state or provide the following: 1) a summary of the deleted information; 2) the reason(s) for deleting the information; and 3) the name, address and telephone number of each person responsible for, or otherwise involved with, deleting the information.

G. To the extent a Defendant intends to respond to a request by relying on the information previously provided pursuant to CMO 44, the Defendant will identify the Bates Number for the DOCUMENTS where Defendant believes the information is located.

H. Electronically Stored Information and Electronic Data (collectively referred to as "ESI"): When producing ESI in response to these requests, submit electronic data in both its native format and as scanned images in single-page TIF (300

dpi, group 4 CCIT) format with full text file (.OCR), Concordance image load file (.OPT), and Concordance delimited text file (.DAT). Each single-page TIF image and accompanying OCR text file should be "Bates Numbered" electronically using the Bates Number as the file name. Both accompanying load files (.OPT and .DAT) should designate beginning and ending Bates Numbers for each document produced. The Concordance delimited text file (.DAT) should also include all Metadata (MD5 hash) pertaining to the native files. If native data must be converted from a proprietary format in order for Plaintiffs to access the data, the Plaintiffs request that the data be produced in the following formats: Databases: (.MDB); Spreadsheets: (.XLS); Text documents: (.DOC), (.WPD), (.TXT). Plaintiffs also request that YOU IDENTIFY all ESI produced in response to these requests by including "ESI" in the Bates number prefix or otherwise provide an overlay file, summation file, or other standard industry file that includes an objective coding field that identifies that the DOCUMENT being produced is ESI.

I. Hardcopy Documents: Plaintiffs would prefer that hardcopy documents produced in response to these request be scanned and produced in single-page TIF (300 dpi, group 4 CCIT) format with full text file (.OCR), Concordance image load file (.OPT), and Concordance delimited text file (.DAT). Each single-page TIF image and accompanying OCR text file should be "Bates Numbered" electronically using the Bates Number as the file name. Both accompanying load files (.OPT and .DAT) should designate beginning and ending Bates Numbers for each document produced. The Concordance delimited text file (.DAT) should also include all objective coding.

J. Production Media: All ESI and scanned hardcopy documents should be produced on CD or DVD. If the size of the production exceeds two DVDs, the Plaintiffs

request that the data be produced on a USB external hard drive. All media should be labeled with the case name, date of production, Bates Number range, and producing Defendant(s).

K. Whenever these requests use any word in the masculine, the Defendant shall understand the word to include the feminine as necessary to make the request inclusive rather than exclusive. Further, whenever these requests use any word in the feminine, the Defendant shall understand the word to include the masculine as necessary to make the request inclusive rather than exclusive.

L. Verbs written in the present tense shall also be taken to mean and include the past. Verbs written in the past tense shall also be taken to mean and include the present.

M. These requests are limited to the RELEVANT TIME PERIOD.

N. "ADDRESS" shall mean the street address, city, county, state, and zip code.

O. "COMMUNICATION WITH AND SUBMISSION TO" shall mean an inquiry, discussion, reporting of oral, written, and/or electronic data, representation, conversation, negotiation, agreement, undertaking, meeting, telephone, conversation, letter, note, telegram, telex, advertisement or other form of verbal intercourse, whether oral or written.

P. "DATE" shall mean the exact day, month and year, if ascertainable, or if not, a description of the temporal relationship of the occurrence for which the date is sought to the closest dates which are ascertainable.

Q. "EACH" shall mean "each" and "each and every."

R. "ENVIRONMENTAL AGENCY" shall mean any federal, state, county, or municipal agency, department, administration, committee, commission, or board charged with compliance, enforcement, or monitoring of environmental health and safety laws, whether federal, state, or local.

S. "IDENTIFY" shall mean, when used in reference to:

- a. A natural person, his or her:
  - i. Full name;
  - ii. Present or last-know home and business ADDRESS (including street name and number, city or town, and state); and
  - iii. Present or last-know position, business affiliation and job description.
- b. A company, corporation, association, partnership or any legal entity other than a natural person, its:
  - i. Full name and type of organization or entity;
  - ii. ADDRESS of principal place of business; and
  - iii. Jurisdiction and date of incorporation or organization, if know.

T. "IDENTIFY" with respect to an object or process shall mean to give the name and to provide a sufficiently detailed description.

U. "IDENTIFY EACH LOCATION" shall mean to state the street address, city, county, state and zip code if ascertainable, or if not, a description of the distance from the location which is sought to the closest location which is ascertainable.

V. "MTBE" shall mean the gasoline additive known as methyl tertiary butyl ether and also refers to the degradation byproducts of and contaminants in commercial



grade MTBE, including but not limited to tertiary butyl alcohol ("TBA").

W. "MTBE GASOLINE" or "GASOLINE CONTAINING MTBE" shall mean gasoline in which MTBE is added as an octane booster, oxygenate, additive, or for any other purpose.

X. "NON-TEST SITE" shall mean any of the sites identified in Appendix A.

Y. "PERSON" shall mean any natural person, company, corporation, association, partnership and/or other legal entity.

Z. "PERSON UPON WHOM THE DEFENDANT RELIED" shall mean any individual, business entity or governmental entity having information upon which the Defendant bases any response, either in whole or in part.

AA. "REFER TO " or "REFERS TO" shall mean discussing, mentioning, or relating in any way.

BB. "RELATE TO" or "RELATES TO " shall mean concerning, constituting, defining, embodying, identifying, reflecting, referring to, stating or dealing with in any way.

CC. "RELEVANT TIME PERIOD" shall mean the period from 1979 to the present. Unless specified otherwise, all requests seek information for each year of the relevant time period.

DD. "RESPONDING DEFENDANT" shall mean the Defendant(s) on whose behalf the responses to these requests is being submitted.

EE. "THIRD-PERSON" or "THIRD PARTY" shall mean PERSONS other than the RESPONDING DEFENDANT.

FF. "UST" shall mean Underground Storage Tank and the appurtenant fuel

delivery system.

GG. "YOU" and "YOUR" shall mean the RESPONDING DEFENDANT, and any of its affiliates, subsidiaries, predecessor, agents, consultant, contractors or employees.

**INTERROGATORIES**

1. IDENTIFY EACH of the NON-TEST SITES that YOU ever owned or operated and the DATES YOU owned or operated the site.
2. IDENTIFY EACH of the NON-TEST SITES that YOU ever leased to or from anyone, and the DATES YOU leased the site to or from anyone.
3. IDENTIFY EACH of the NON-TEST SITES where YOU owned a UST.
  - a. IDENTIFY the UST('s) owned and the DATES YOU owned the UST.
4. For EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3, state the person most knowledgeable about UST's at the site.
5. For EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3, IDENTIFY the current geographic boundaries of the site.
6. For EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3,
  - a. State the DATE hydrocarbons were first detected in soil at the site; and
  - b. State the DATE hydrocarbons were first detected in groundwater at the site.
7. For EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3,
  - a. State the DATE MTBE was first detected in soil at the site;
  - b. IDENTIFY the highest concentration of MTBE detected in soil to date at the site;
  - c. State the date MTBE was first detected in groundwater at the site; and
  - d. IDENTIFY the highest concentration of MTBE detected in groundwater to

date at the site.

8. For EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3, IDENTIFY EACH employee(s) who was responsible for supervising and/or authorizing any project to sample for, test for, or remediate hydrocarbon contamination.
9. For EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3, IDENTIFY EACH environmental consultant who was responsible for supervising and/or authorizing any project to remediate hydrocarbon contamination.
10. For EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3, IDENTIFY EACH PERSON that ordered, requested, negotiated, contracted for, or otherwise caused the collection of soil, water and/or air samples at the site.
11. For EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3, IDENTIFY EACH PERSON, including any contractor, consultant and/or agent, that collected soil, water, and/or air samples at the site, and the DATES the samples were collected.
12. For EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3, IDENTIFY the location of all monitoring wells at EACH site, including:
  - a. Monitoring wells within the geographic boundaries IDENTIFIED in Interrogatory No. 5; and
  - b. Monitoring wells outside the geographic boundaries IDENTIFIED in Interrogatory No. 5 that were used to monitor ground water that was threatened or impacted by the site.

13. For EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3, IDENTIFY EACH PERSON to whom YOU sent soil, water and/or air samples collected at the sites, and the DATES samples were sent.
14. For EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3, IDENTIFY EACH PERSON that ordered, requested, negotiated, contracted for, or otherwise caused the analyses of soil, water and/or air samples at the site.
  - a. Describe any analyses that YOU requested be performed on the soil, water and/or air samples; and
  - b. Describe any analyses that YOU requested not be conducted on the soil, water and/or air samples.
15. For EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3, IDENTIFY EACH PERSON who conducted chemical analyses on soil, water, and/or air samples collected at the site.
16. For EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3, describe any chemical analyses conducted on soil, water, and/or air samples collected at the site, and the DATES analyses were conducted.
17. For EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3, IDENTIFY the US EPA or other testing method(s) utilized for the analysis of any soil, water, and/or air samples collected at the site.
18. IDENTIFY EACH PERSON UPON WHOM THE DEFENDANT RELIED upon or who provided factual information to, or otherwise assisted in the preparation of, YOUR responses to these Interrogatories, and specify which interrogatory

such person assisted in answering. For each person IDENTIFIED, provide their position or title, if applicable.

**REQUESTS FOR PRODUCTION OF DOCUMENTS**

1. All DOCUMENTS concerning YOUR responses to the foregoing Interrogatories.
2. All DOCUMENTS RELATED TO any leak, release, and/or discharge of hydrocarbons at EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3.
3. All DOCUMENTS RELATED TO any assessment, evaluation, characterization, remediation, or repair RELATED TO the UST's at EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3.
4. Any and all records from any leak detector, leak sensor, vapor sensor, or electronic alarm system, including but not limited to, printouts, logs, electronic records, or reports, indicating the alarm or sensor was activated or actuated at EACH site YOU IDENTIFIED in response to Interrogatory Nos. 1-3.
5. All DOCUMENTS RELATED TO the collection of soil, water, and/or air samples at EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3.
6. All DOCUMENTS RELATED TO the shipment, mailing, posting, and/or conveyance of soil, water, and/or air samples collected at EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3.
7. All DOCUMENTS RELATED TO the analysis of soil, water, and/or air samples collected at EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3, including:
  - a. Laboratory reports with all data tables, attachments, and appendices;
  - b. Laboratory certificates of analyses;



- c. Output files generated from analytical instrument(s) including:
    - 1. Instrument result files for all sample analyses, and
    - 2. Instrument result files for calibration and the analysis of laboratory standards;
  - d. Case narratives;
  - e. Analytical certificates of analysis that include the project name, project number, and laboratory project number;
  - f. Chain of custody forms and sample receipt forms;
  - g. Project quality control data and information;
  - h. Sample reports;
  - i. Chromatograms from all instrument channels/detectors; and
  - j. Tabulated results from all instruments channels/detectors.
8. All DOCUMENTS RELATED TO the analysis of MTBE in any soil, water, and/or air samples collect at EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3 including:
- a. DOCUMENTS that report instrument detector responses for MTBE;  
and
  - b. DOCUMENTS that mention MTBE.
9. All communications with any ENVIRONMENTAL AGENCY about MTBE RELATED TO EACH NON-TEST SITE IDENTIFIED in response to Interrogatory Nos. 1-3.

[End of Requests. Signatures on next page.]

LAW OFFICES OF JOHN K. DEMA, P.C.

John K. Dema, Esq.

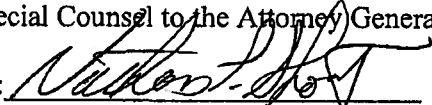
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**APPENDIX A: NON-TEST SITES**

Case	Owner Name	Facility Name	Street Address	City
01-0023	SOL PUERTO LIMITED	Shell S/S #204300	Carr. 506 Km.0.8 Bo. Coto Laurel	Ponce
01-0025	SOL PUERTO LIMITED	Shell 204302 Rafael Medina S/S	Carr. 2 Km. 102.1, Bo. Terranova	Quebradillas
02-0026	SOL PUERTO LIMITED	Shell S/S # 204305	Carr. PR-542 Int. Carr. PR-153 Plaza, Santa Isabel	Santa Isabel
86-0197	Caribbean Petroleum Corporation	GULF S/S #179	Ave. Americo Miranda, Esq. Gutenberg, Jardines Metropolitano	San Juan
86-0224	Caribbean Petroleum Corporation	GULF S/S #436	Calle Tapia, Esq. Eduardo Conde, VILLA PALMERAS Santurce	San Juan
86-0231	CARLOS CRUZ ROMAN	Willie Gas Station	CARR. 491, BO. La paloma	Hatillo
86-0259	Caribbean Petroleum Corporation	GULF #028	Carr. 3 KM. 19.8	Canovanas
86-0270	Caribbean Petroleum Corporation	GULF S/S#043	ESMERALDA & VENUS ST. Urb Ponce de Leon	Guaynabo
86-0287	Caribbean Petroleum Corporation	GULF #073	Carr. 3 KM. 43.5	Fajardo
86-0312	AMERICAN PETROLEUM CORPORATION	American Petroleum- Mercedita S/S	RD 1 KM 121.7, Bo. Calzada	Ponce
86-0326	Caribbean Petroleum Corporation	GULF S/S #0129	RD. 129 KM 39.4	Arecibo
86-0352	EFRAIN SANTANA	ESR Service Station	RD. 3 KM. 83.9 Bo. Cataño	Humacao
86-0353	AMERICAN PETROLEUM CORPORATION	American Petroleum - DoravilleS/S	RD 695, KM. 1.5, HIGUILLAR WARD	Dorado
86-0354	AMERICAN PETROLEUM CORPORATION	Jobos S/S	RD 459 KM 4.2, JOBOS WARD	Isabela
86-0355	Total Petroleum Puerto Rico Corp.	Total #2156	RD. 135, KM. 81.0	Adjuntas
86-0357	Caribbean Petroleum Corporation	Gulf #801 (Antes Shell S/S #	RD. 116, KM. 24.7 Bo. Cano	Guanica
86-0371	HECTOR TORADO	TORRADO GAS SERVICE STATION	RD 130 KM 6 Bo. Naranjito	Hatillo
86-0377	Caribbean Petroleum Corporation	GULF S/S #0392	SANTIAGO DE LOS CABALLEROS AVE	Ponce
86-0385	Caribbean Petroleum Corporation	GULF S/S #0406	RD. #10 KM 53.7	Utua
86-0405	TEXACO PUERTO RICO INC	Texaco - William Alverio S/S #302	RD. 189 KM. 1.7	Caguas
86-0602	SOL PUERTO LIMITED	SHELL SERVICE STATION #804568	RD. #173 KM 8.5 SUMIDERO WARD	Aguas Buenas

86-0603	RUBEN TERRON	SUPER GAS STATION	RD #2 KM 18.6	Toa Baja
86-0604	SOL PUERTO LIMITED	SHELL S/S # 804592	RD 176 KM 5.3, CUPEY ALTO	San Juan
86-0605	SOL PUERTO LIMITED	SHELL SERVICE STATION #804606	RD. 156 KM 52.5	Aguas Buenas
86-0613	SOL PUERTO LIMITED	SHELL S/S #804614	RD 172 C/FRANCISCO CRUZ Urb Fernandez	Cidra
86-0618	SOL PUERTO LIMITED	SHELL S/S #804932	MENDEZ VIGO ST. #274	Dorado
86-0626	SOL PUERTO LIMITED	SHELL S/ S #804843	RD. 908 KM 0.4 TEJAS AVE. Urb Los Pinos	Humacao
86-0633	JORGE ARGUELLES MORAN	INTERISLAND PETROLEUM RETAILERS, INC.	RD. #1, KM. 22.0, BO. RIO	San Juan
86-0638	JOSÉ M. SANTIAGO CARTAGENA	SANTIAGO S/S	RD. 14, KM. 31.7, EXIT COAMO TO JUANA DIAZ	Coamo
86-0642	Total Petroleum Puerto Rico Corp.	TOTAL. #2150	RD. 152, KM. 18.2	Naranjito
86-0644	Caribbean Petroleum Corporation	Gulf S/S #499	RD 685 KM 2.2 INT RD 616 MAr Chiquita	Manati
86-0656	SOL PUERTO LIMITED	SHELL S/ S #804738	LOIZA ST., CORNER KINGS COURT	San Juan
86-0657	SOL PUERTO LIMITED	SHELL S/ S #804835	BETANCES ST. Salida Caguas a Aguas Buenas	Caguas
86-0662	SOL PUERTO LIMITED	SHELL S/S #804100	RD. 121 KM 214.8	Sabana Grande
86-0674	MIGUEL CHABRIER	CH Gasolinas #2	Calle Muñoz Rivera #102	Santa Isabel
86-0681	Carlos Arbona	Super Speed Way	POST #200 SUR	Mayaguez
86-0686	AGUSTIN PEREZ RODRIGUEZ	RIO JUEYES S/S	RD. 1 KM. 92.0 JUEYES WARD	Salinas
86-0705	SOL PUERTO LIMITED	SHELL S/S 804975	PONCE DE LEON, Parada 27	San Juan
86-0723	Pedro Rodriguez Orosco	Quisqueya S/S	QUISQUEYA ST. #55	San Juan
86-0724	Luis R. Rodriguez Rodriguez	L.R. Gas Station	STATE ROAD #176 KM 7.2, CUPEY ALTO WARD	San Juan
86-0726	ISGARDO FUENTES	Servicentro Fuentes	RD 111 km 31.8, Bo. Juncal	San Sebastian
86-0727	CIA PETROLERA CARIBE INC	Gasolinera CARIBE, INC.	R.H. TODD 1000	San Juan
86-0836	SOL PUERTO LIMITED	SHELL S/S #000922	RD.#459,KM.4.6, JOBOS WARD	Isabela
86-0839	SOL PUERTO LIMITED	SHELL S/S #002992	RD.155 KM. 65.6 Sector Alvarado Pugnado Afuera, Pugnado WARD	Vega Baja
86-0840	Edwin Ayala Martinez	Atenas SHELL S/S # 03018	RD 2 KM 48.1 Barrio Coto Norte, COTTO NORTE WARD	Manati
86-0842	Caribbean Petroleum Corporation	GULF S/S #407	RD 129 KM. 21.8 Int 454, CALLEJONES WARD	Lares
86-0843	SOL PUERTO LIMITED	SHELL S/S #001732	RD.#129,KM. 40.4	Arecibo
86-0844	BENJAMIN MENDEZ	SUN GAS	RD #2 KM. 40.3	Vega Baja

86-0848	Caribbean Petroleum Corporation	GULF S/S # 303	RD. # 2 KM. 97.0	Quebradillas
86-0850	SOL PUERTO LIMITED	SHELL S/S #000990	CELIS AGUILERA ST. # 62	Manati
86-0852	SOL PUERTO LIMITED	SHELL S/S #001660	RD 2 KM 38.4	Vega Baja
86-0853	SOL PUERTO LIMITED	SHELL S/S #003190	RD. 670 KM. 1 HM. 5 Urb Oneill	Manati
86-0854	Caribbean Petroleum Corporation	Gulf # 496	RD. #2, KM. 91.1, Bo Alcantarilla	Camuy
86-0857	RAFAEL CORTES	CORTES SUPER	ROAD # P. R. 2 KM 109, COTTO MILITAR WARD	Isabela
86-0859	Caribbean Petroleum Corporation	Gulf S/S #462	RD # 165 KM 6.9., LEVITTOWN	Toa Baja
86-0862	SOL PUERTO LIMITED	SHELL S/S #3492	RD. 2 KM. 112.5, SECTOR LA CURVA	Isabela
86-0869	SOL PUERTO LIMITED	SHELL S/S # 003255	CAMPO RICO AVE. Country Club	San Juan
86-0870	SOL PUERTO LIMITED	SHELL S/S # 002933	FAIR VIEW SHOPPING CENTER, CUPEY	San Juan
86-0871	SOL PUERTO LIMITED	SHELL S/S # 002879	21 ST., CORNER CALLE 6 Urb Mari Olga	Caguas
86-0873	SOL PUERTO LIMITED	SHELL S/S #0003034	JESUS T. PIÑERO AVE. esq. Industrial	Cayey
86-0876	SOL PUERTO LIMITED	SHELL S/S #000124	PONCE DE LEON AVE. #351, PUERTA DE TIERRA pda 6 1/2	San Juan
86-0880	SOL PUERTO LIMITED	SHELL S/S #000841	RD # 155, KM 16.1 Bo Bermejales, NUEVO PINO WARD	Orocovis
86-0883	SOL PUERTO LIMITED	SHELL S/S #002518	RD # 861 CORNER SANTA Monica	Bayamon
86-0886	SOL PUERTO LIMITED	SHELL S/S 002704	RD. 107, KM 1.4	Aguadilla
86-0887	SOL PUERTO LIMITED	SHELL S/S #0108	RD.# 10, KM. 35.7	Adjuntas
86-0888	MANUEL SANTOS	Manuel Santos	Calle Barbosa #252	Moca
86-0905	SOL PUERTO LIMITED	SHELL S/S #000418	JOSE DE DIEGO ST. #406	Arecibo
86-0912	Caribbean Petroleum Corporation	Gulf S/S #461	RD. #103, KM 9.1 Bo Llano Tuna	Cabo Rojo
86-0913	Eduardo Ruiz Valentin	ALL STAR GAS STATION	MCKINLEY ST. #157 WEST	Mayaguez
86-0914	SOL PUERTO LIMITED	SHELL S/S #000132	COLON ST.#150, ESQ. MARINA	Aguada
86-0915	SOL PUERTO LIMITED	SHELL S/S #003689	RF 103, KM 5.1	Cabo Rojo
86-0928	SOL PUERTO LIMITED	SHELL S/S #002550	Carr 144 KM. 18.4 Bo, Jayuya Abajo	Jayuya
86-0930	Caribbean Petroleum Corporation	GULF S/S# 495	Carr. # 101 km. 6.3	Lajas

86-0931	Arsenio Rivera Valentin	Garage Villa Perez	RD. #135, KM. 75.8, YAHUECAS WARD	Adjuntas
86-0932	SOL PUERTO LIMITED	SHELL S/S #003115	RD. #2, KM. 24, HM.7	Aguadilla
86-0933	SOL PUERTO LIMITED	SHELL SERVICE STATION #000205	POST ST. #101 NORTH	Mayaguez
86-0935	WILLIAM FERRER ORTIZ	Ferrer S/S	ROBERTO DIAZ #1, BDA. CANTERA	Cayey
86-0938	ibrahim abususba abdel fattah	Abu-USBA Petroleum	DE DIEGO AVE. 1155, TRUJILLO ALTO EXPRESSWAY	San Juan
86-0939	SOL PUERTO LIMITED	SHELL S/S #00230	RAFAEL LASA # 26	Aguas Buenas
86-0940	SOL PUERTO LIMITED	SHELL S/S #002909	Centro COMER. TURABO GARDENS	Caguas
86-0947	Alfonzo Gomez-Gulf Plaza Inc.	GLADIOLAS s/s	Calle Bolivia Esq. Calle Quisqueya	San Juan
86-0951	SOL PUERTO LIMITED	SHELL S/S #002542	SAN CLAUDIO ST. RD 845 KM 4, URB. SAGRADO CORAZON	San Juan
86-0952	SOL PUERTO LIMITED	SHELL S/S #002976	RD. #183, KM 1.5 Bo Tomas de Castro	Caguas
86-0956	SOL PUERTO LIMITED	SHELL S/S#000302	DE DIEGO AVE. CORNER WILSON	San Juan
86-0958	SOL PUERTO LIMITED	Shell S/S #003140	LOMAS VERDES AVE. Esq, NOGAL CORNER	Bayamon
86-0960	Caribbean Petroleum Corporation	GULF S/S482	FERNANDEZ JUNCOS AVE. #816	San Juan
86-0961	SOL PUERTO LIMITED	SHELL S/S #002607	LAUREL AVE. ESPANA CORNER Sta Juanita	Bayamon
86-0962	SOL PUERTO LIMITED	SHELL SERVICE STATION #000566	PRINCIPAL AVE. MAGNOLIA GARD.	Bayamon
86-0963	SOL PUERTO LIMITED	SHELL S/S # 002887	MUNOZ RIVERA AVE., STOP 6 1/2 Puerta de Tierra	San Juan
86-0964	Sami Abraham	Abraham Petroleum S/S	RD. 861, KM. 2.6, BO. PAJAROS	Bayamon
86-0965	SOL PUERTO LIMITED	SHELL S/S #002410	RD. #167, KM. 15.4 Bo Buena Vista	Bayamon
86-0967	SOL PUERTO LIMITED	SHELL S/S #000019	PONCE DE LEON #1910 Santurce	San Juan
86-0968	Wilson Acosta Anaya	Acosta S/S	RD. #33, KM. 141.9	Guayama
86-0970	OSCAR BARQUIN	CUATRO CALLES SERVICE STATION	RD. #3, KM. 130.4	Arroyo
86-0973	SOL PUERTO LIMITED	SHELL SERVICE STATION #002810	RD. #3, KM. 57.1	Ceiba
86-0977	Juan Simmons/Michele Diaz de Simmons	Villa Graciela S/S (EXSHELL S/S #002372	RD. #189, KM. 13.2	Juncos
86-0979	YAMIL ABDEL RAHMAN	Eureka #3 gas Station	RD. 3, KM. 71.5, PUNTA SANTIAGO	Humacao
86-0988	SOL PUERTO LIMITED	SHELL S/S #002429	RD. #3 KM 23.7	Rio Grande
86-0993	SOL PUERTO LIMITED	SHELL S/S #000558	BARCELO ST.	Barranquitas



86-0994	SOL PUERTO LIMITED	SHELL S/S #001244	4 DE JULIO ST.	Orocovis
86-0997	SOL PUERTO LIMITED	SHELL S/S #003220	LOS DOMINICOS AVE. CORNER 25ST., BARRIO MIRAFLORES	Bayamon
86-1000	SOL PUERTO LIMITED	SHELL S/S # 001821	SAN JOSE ST. #5	Aibonito
86-1001	SOL PUERTO LIMITED	SHELL S/S #804681	RD. 155, KM. 55.1 Carr Morovis a Vega Baja, BARAHONA WARD	Morovis
86-1003	Santa Paula Oil	Santa Paula Altamira s/s	RD. #19, KM. 1, HM. 0, ALTAMIRA	Guaynabo
86-1004	SOL PUERTO LIMITED	SHELL S/S #002305	RD.152 KM. 17.2	Naranjito
86-1005	ISRAEL BENITEZ	HATO TEJAS GAS STATION	RD. #2, KM. 13.9, HATO TEJAS	Bayamon
86-1014	Jean Michel Merhi	hato tejás S/S	RD #2, KM. 16.2, CANDELARIA WARD	Toa Baja
86-1016	EDDIE MORALES	Pueblito del Rio S/S	RD. #31 km 17.2, PUEBLITO DEL RIO	Las Piedras
86-1024	SOL PUERTO LIMITED	SHELL S/S # 003697	RD. PR-177, INT. PR-833 Calle Muro Muñoz Rivera, SEC.L. FRAILES URB.MUÑOZ RIVERA	Guaynabo
86-1030	SOL PUERTO LIMITED	SHELL S/ S #002690	RD. 856, KM. 0.7 Bo CANOVANILLAS WARD	Carolina
86-1041	SOL PUERTO LIMITED	SHELL S/S # 002593	RD. 132, KM. 12.1	Peñuelas
86-1044	Jose Maldonado	Garage Puente Alonso	CARR. #132, KM. 6.0, Barreno Ward.	Guayanilla
86-1046	SOL PUERTO LIMITED	SHELL S/S #001740	G. MARTINEZ #2	Sabana Grande
86-1048	FELIX GONZALEZ	Atlantic S/S	25 DE JULIO ST. # 60 Esq Mercado	Yauco
86-1049	RAMON RODRIGUEZ	PINO SERVICE STATION	MARINA ST. CORNER JOBOS	Ponce
86-1053	SAN JUAN OIL COMPANY	Servicentro de Panamá #4	RD. #1, KM. 108.1, PLAYITA CORTADA WARD	Santa Isabel
86-1054	SOL PUERTO LIMITED	SHELL S/S #002666	RD. 149, KM. 65.0 Bo Guayabal, GUAYABAL WARD	Juana Diaz
86-1055	SOL PUERTO LIMITED	SHELL S/S #000736	BARBOSA ST.	Juana Diaz
86-1056	SOL PUERTO LIMITED	SHELL S/S #002720	YAGUER ST. #12	Guanica
86-1060	SOL PUERTO LIMITED	SHELL S/S #002852	RD. 3, KM. 139.9	Guayama
86-1061	SOL PUERTO LIMITED	SHELL S/S #003646	RD. #14, KM. 32.5	Coamo
86-1062	SOL PUERTO LIMITED	SHEL S/S # 001260	RD. #1, KM. 89.4	Salinas
86-1072	ESSO STANDARD OIL CO PR	ESSO S/S 3P-047	MONSERRATE AND R. CLEMENTE AVES., VILLA CAROLINA	Carolina
86-1076	ESSO STANDARD OIL CO PR	ESSO S/S CO-301	RD. 2 KM 157.4 Bo. Sabalos, SABALOS WARD	Mayaguez



86-1080	ESSO STANDARD OIL CO PR	ESSO S/S CO-016	AMERICO MIRANDA AVE. & 42 ST. Reparto Metropolitano	San Juan
86-1081	ESSO STANDARD OIL CO PR	ESSO S/S CO-003	RD. 19 KM. 1.2 Altamira	Guaynabo
86-1087	ESSO STANDARD OIL CO PR	ESSO S/S CO-161	ROAD 172 KM. 7.6 Bo Certenejas, CERTENEJAS WARD	Cidra
86-1093	ESSO STANDARD OIL CO PR	ESSO S/S CO 240	ROAD 183 KM 4.6 Bo Tomas de Castro, TOMAS DE CASTRO WARD	Caguas
86-1094	ESSO STANDARD OIL CO PR	ESSO S/S CO-241	RD 189 KM 2.6	Caguas
86-1097	ESSO STANDARD OIL CO PR	ESSO S/S CO-269	RD. 1 KM. 30.8 Bo. LA Guasara, LA GUASARA WARD	Caguas
86-1101	ESSO STANDARD OIL CO PR	ESSO S/S CO-175	Calle Ignacio Arzuaga #102 W, Villa Carolina	Carolina
86-1102	ESSO STANDARD OIL CO PR	ESSO S/S CO-176	BALDORIOTY DE CASTRO AVE.# 22 Villamar	Carolina
86-1103	Antonio Torres Montes	TB Petroleum (Ex ESSO S/S CO-177)	RD 190 KM 1.5 barrio Sabana Abajo	Carolina
86-1107	ESSO STANDARD OIL CO PR	ESSO S/S CO-184	Ave. 65 de Infantería km. 5.8, Ave. Campo Rico San Martín	Carolina
86-1118	ESSO STANDARD OIL CO PR	ESSO S/S CO-004	Ave. Jesús T. Piñero # 1771 Summit Hills	San Juan
86-1119	ESSO STANDARD OIL CO PR	ESSO S/S CO-006	ESCORIAL AVE. #557 Caparra heights	San Juan
86-1128	ESSO STANDARD OIL CO PR	ESSO S/S CO-020	Ave. Ponce de León Esq. Borinquen # 1901, Barrio Martín Peña	San Juan
86-1137	ESSO STANDARD OIL CO PR	ESSO S/S CO-040	PIÑEIRO AVE. #1024, PUERTO NUEVO	San Juan
86-1139	ESSO STANDARD OIL CO PR	ESSO S/S CO-185	RD. 1 KM. 13.4 Urb Antonsanti	San Juan
86-1142	ESSO STANDARD OIL CO PR	ESSO S/S CO-205	Calle Lolza # 2207, Santa Teresita	San Juan
86-1144	ESSO STANDARD OIL CO PR	ESSO S/S CO-218	RD. 842 KM. 1.2 BO. Caimito Abajo	San Juan
86-1153	ESSO STANDARD OIL CO PR	ESSO S/S CO-064	Ave. Betances, Hermanas Dávila	Bayamon
86-1155	ESSO STANDARD OIL CO PR	ESSO S/S CO-072	ROAD 165 KM 4.7, QUEBRADA CRUZ WARD	Toa Alta
86-1159	ESSO STANDARD OIL CO PR	ESSO S/S CO-097	MINILLAS & HOSTOS AVES.	Bayamon
86-1178	ESSO STANDARD OIL CO PR	ESSO S/S CO-450	RD 111 KM. 0.7, NUEVA AVE.	Utua
86-1184	ESSO STANDARD OIL CO PR	ESSO S/S CO-120	CLUB ROTARIOS AVE. ESQ. SAN LUIS	Arecibo
86-1187	ESSO STANDARD OIL CO PR	ESSO S/S CO-294	RD. 2 KM. 121.4 Sector Victoria	Aguadilla
86-1194	ESSO STANDARD OIL CO PR	ESSO S/S CO-300	Calle Post # 929 Sur	Mayaguez
86-1200	ESSO STANDARD OIL CO PR	ESSO S/S CO-371	LUNA ST. #22	San German
86-1202	ESSO STANDARD OIL CO PR	ESSO S/S CO-379	Carr. 100, INT.Carr 311	Cabo Rojo

86-1207	ESSO STANDARD OIL CO PR	ESSO S/S CO-367	GUADALUPE ST. END	Ponce
86-1208	ESSO STANDARD OIL CO PR	ESSO S/S CO-368	URB. MERCEDITA 92	Ponce
86-1216	Roberto Rodriguez	barinas S/S (Ex-ESSO S/S CO-409)	RD. 335, KM. 1.6 BARINAS WARD	Yauco
86-1228	ESSO STANDARD OIL CO PR	Esso S/S CO-463	Carr. 3 km. 140.7	Guayama
86-1233	ESSO STANDARD OIL CO PR	ESSO S/S CO-243	Calle José de Diego # 214	Cayey
86-1235	ESSO STANDARD OIL CO PR	ESSO S/S CO-274	RD. 1, KM. 49.8, BEATRIZ WARD	Cidra
86-1240	ESSO STANDARD OIL CO PR	ESSO S/S 2P-180	Carr. 2 KM 56.9 Barrio Macho	Ceiba
86-1242	ESSO STANDARD OIL CO PR	ESSO S/S 2P-233	ROAD 185 KM 2.6	Canovanas
86-1249	Manuel Rodriguez Velazquez	Manuel Service Station	BARBOSA AVE. #107	Las Piedras
86-1254	Anibal Fragoso	Casa Blanca Service Station	RD. 983, KM. 1.2	Luquillo
86-1257	ESSO STANDARD OIL CO PR	ESSO S/S DO-215	RD. 976, KM. 2.6	Fajardo
86-1259	ESSO STANDARD OIL CO PR	ESSO S/S 189	RD. 189, KM. 8.6, BARRAZAS WARD	Carolina
86-1271	TEXACO PUERTO RICO INC	Texaco # 320 Pedro Cabrera S/S	BARBOSA ST., CORNER EMMANUELLI	San Juan
86-1275	ESSO STANDARD OIL CO PR	ESSO S/S 3P-089	RD MUNOZ RIVERA 11	Toa Baja
86-1276	Marcopex/Global Staion GRoup	Global Station Group	LOS DOMINICOS ESQ. SABANA SECA	Toa Baja
86-1278	Nelson Rivera Montesino	G.G. Fuel (Antes ESSO S/S 2P-085)	RD. 152, KM. 12.3 Cedro Arriba, CEDRO ARRIBA WARD	Naranjito
86-1294	Estaciones de Servicio Unidas Inc	Santana S/S (ExESSO S/S 2P-129)	CARR. 32, KM. 66.6 Bo Santana	Arecibo
86-1298	Oscar Varela	ESSO S/S 2P-130	CARR. 639, RAMAL, SABANA HOYOS WARD	Arecibo
86-1320	ANGEL PERÉZ ESTEVEZ	Colegas S/S	RD. 119, KM. 31.2, HOYA MALA WARD	San Sebastian
86-1321	ESSO STANDARD OIL CO PR	ESSO S/S SC-313	RD. 467, KM. 2.3, BORINQUEN WARD	Aguadilla
86-1322	Miguel E. Monroig	Garaje Esso Salto	RD. 445, KM. 2.0, SALTOS WARD	San Sebastian
86-1325	JOAQUIN CAPELLA BARRETO	JOAQUIN CAPELLA	RD. 459, KM. 5.2, CALERO WARD	Aguadilla
86-1333	Caribbean Petroleum Corporation	Estacion de Gasolina Gulf #424	RD. 402 KM km 2.2 Bo Marias	Anasco
86-1335	Eduardo Ruiz Valentin	EX ESSO S/S 2P-314	ROAD 2 KM 143 & ROAD 402, BO. CARACOL	Anasco
86-1344	José Méndez, Jr.	PESCADERIA ROSAS, INC.	Carr. Principal 1158, Bo. Puerto Real	Cabo Rojo
86-1347	Julio Lopez Rodriguez	Lopez Gas Station ( EXESSO S/S 2P-312)	ROAD 110, KM 4.4, CALERO WARD	Aguadilla
86-1349	MIGUEL CHABRIER	CH Gasolinas	#2 JOBOS ST., COTO LAUREL WARD	Ponce
86-1352	Felipe Casta Frias	Estación Garaje San Jose	CARR. 135 KM. 63.0	Lares

86-1356	FELIPE PIAZZA MORESHI	Estacion Felipe Piazza	ROAD 372 KM 7.8, DUEY WARD	Yauco
86-1357	Jaime Escobales	Roberto Escobales	ROAD 135 KM 75.9, Yahuecas ward	Adjuntas
86-1358	Jose Maldonado	Maxxan Corp	ROAD 378 KM 1.5, MACANA WARD	Guayanilla
86-1359	Heriberto Muñoz	Garage Muñoz	25 DE JULIO #19- A	Yauco
86-1360	PEDRO RULLAN ROMERO	GARAJE EL 22	Rd. 128 Km. 25.9 Rubias Wd.	Yauco
86-1361	CARLOS RIOS	ESSO S/S 2P-424	DR. BARBOSA ST. #24	Adjuntas
86-1370	Angel L. Santana	Excel S/S	ROAD 3 KM 88.5, AGUACATE WARD	Yabucoa
86-1371	Moises Velazquez	Pitahayas S/S	RD. 924 KM 3.3 BO PITAHAYA, PITAHAYAS WARD	Humacao
86-1377	ESSO STANDARD OIL CO PR	ESSO S/S 2P-438	RD. 14 KM 48.7 Bo Asomante, ASOMANTE WARD	Aibonito
86-1462	OCTAVIO SANTINI	Papirin S/S	RD. 771, KM. 2.5	Barranquitas
86-1543	ISRAEL BENITEZ	barahona (ExTexaco Barahona S/S # 375)	ROAD 633 KM. 3.6	Morovis
86-1548	AGUSTIN PEREZ RODRIGUEZ	APR Candelaria (ExTexaco-Candelaria S/S # 236)	RD 2 KM. 19.6, CANDELARIA WARD	Toa Baja
86-1552	TEXACO PUERTO RICO INC	Texaco Carrizales S/S # 563	P.R. 2 KM. 85.2, CARRIZALES WARD	Hatillo
86-1555	Taco gas Inc/Jaime Prieto Silva	Zulu GAs Station /Formel Marine Services (Ex Optimum (ExTexaco- Fernandez Juncos S/S # 203)	FERNANDEZ JUNCOS AVE. & VICTOR LOPEZ ST.	San Juan
86-1560	TEXACO PUERTO RICO INC	Texaco- Levittown S/S # 299	COMERIO AVE. & SABANA SECA, LEVITTOWN	Toa Baja
86-1564	TEXACO PUERTO RICO INC	Texaco Miramar S/S #217	FERNANDEZ JUNCOS & ESTADO ST, MIRAMAR	San Juan
86-1565	ENRIQUE ROLON RIVERA	MOROVIS S/S	RD. 155 KM. 48.8	Morovis
86-1566	Angel Rivera	Angel Rivera S/S (AntesTexaco Parque S/S #330)	ROOSEVELT AVE. #950, PUERTO NUEVO	San Juan
86-1586	TEXACO PUERTO RICO INC	Texaco- Villa S/S # 501	CARR. 2 KM. 77.1	Arecibo
86-1589	TEXACO PUERTO RICO INC	Texaco- Javier Espinosa # 573	ROAD # 2 KM. 98.0, COCOS WARD	Quebradillas
86-1597	TEXACO PUERTO RICO INC	Pablo R. Colon S/S	ROAD 152 KM 2.2	Barranquitas
86-1605	TEXACO PUERTO RICO INC	Texaco- Efraín González S/S #579	RD. 129 KM. 13.6	Hatillo
86-1606	TEXACO PUERTO RICO INC	Texaco- Hector Martinez S/S # 528	ROAD 10 KM. 67, BO. HATO VIEJO	Arecibo
86-1622	FERDINAND VELEZ FIGUEROA	SERVICENTRO VELEZ	RD. 129, KM. 10.5, BUENOS AIRES WARD	Lares
86-1624	GUSTAVO LOURIDO	Lourido S/S	Carr. 140, Calle Ramón Torres #99	Florida
86-1633	Gerard Gil Bonar	WILLIAM RODRIGUEZ #312	Road 2 Km. 22.4	Toa Baja
86-1640	TEXACO PUERTO RICO INC	JOSE TOLEDO # 518	ROAD 130 KM 4.8, LECHUGA WARD	Hatillo
86-1699	Alberto Contreras	Global SAINT JUST (Ex Texaco S/S #344)	ROAD 848 KM 1.2, SAINT JUST	Trujillo Alto

86-1 702	ISRAEL BENITEZ	VILLA FONTANA S/S (EX Texaco #370)	99 ST. BLQ. 99 NUM. 7, VILLA FONTANA	Carolina
86-1 705	YAMIL ABDEL RAHMAN	Eureka Gas Station # 4	65TH INFANTRY AVE KM 25.5, Bo. Guzman	Rio Grande
86-1 730	TEXACO PUERTO RICO INC	ROSA M ALGARIN S/S #340	PR 31 KM 18.3	Juncos
86-1 743	TEXACO PUERTO RICO INC	ITURREGUI S/S #371	ITURREGUI AVE. CORNER 413 ST., URB. COUNTRY CLUB	San Juan
86-1 750	TEXACO PUERTO RICO INC	MUNOZ RIVERA S/S #230	MUÑOZ RIVERA AVE. #560	San Juan
86-1 765	Alberto Contreras	Rock S/S	RD. 1, KM. 20.3, Bo. Tortugo	San Juan
86-1 766	TEXACO PUERTO RICO INC	NILDA ROSA COLON S/S #253	RD. 173, KM. 0.3	Cidra
86-1 769	TEXACO PUERTO RICO INC	LUIS MONTANO #301	INDUSTRIAL AVE. #2	Cayey
86-1 770	TEXACO PUERTO RICO INC	RAFAEL RIVERA S/S #304	Carr. 156 KM. 52.1	Aguas Buenas
86-1 779	TEXACO PUERTO RICO INC	JORGE L. PEREZ S/S #396	RD. 172 KM. 5.8, CAÑABONCITO WARD	Caguas
86-1 787	JOSE BATIZ MELENDEZ	TEXACO FERROCARRIL S/S 801	FERROCARRIL ST. CORNER HOSTOS	Ponce
86-1 795	TEXACO PUERTO RICO INC	HORMIGUEROS S/S #675	ROAD # 2 KM. 166.0	Hormigueros
86-1 796	TEXACO PUERTO RICO INC	JARDINES DEL CARIBE S/S #869	ROAD # 132 KM.23.6, CAÑAS WARD	Ponce
86-1 798	TEXACO PUERTO RICO INC	LAJAS ARRIBA S/S #661	ROAD 117 INT. 118, SANTA ROSA WARD	Lajas
86-1 809	Two J&T Corp	MERCEDITA S/S (Ex Texaco #848)	RD. #1 KM. 122.6, BO. Calzada	Ponce
86-1 816	TEXACO PUERTO RICO INC	VILLA ROSA S/S #805	RD. 3 KM. 135.8, URB. VILLA ROSA	Guayama
86-1 817	TEXACO PUERTO RICO INC	VILLA STREET #845	VILLA ST. #282	Ponce
86-1 826	Eduardo Ruiz Valentin	All Star ( Ex Texaco #667)	RD. 102, KM. 23.9 Monte Grande	Cabo Rojo
86-1 830	TEXACO PUERTO RICO INC	CARLOS JIMENEZ ROMAN S/S #684	RD. #119, KM. 25.8	San Sebastian
86-1 836	Sucesion Leonides Perez	GARAJE PEREZ	RD.119 KM. 23.2, Bo. Aibonito	San Sebastian
86-1 841	TEXACO PUERTO RICO INC	HECTOR RIOS S/S # 835	RD. 10 KM. 0.2, SALIDA UTUADO	Adjuntas
86-1 848	TEXACO PUERTO RICO INC	NORYLUZ VELEZ S/S # 654	RD. BOQUERON, KM. 13.9	Cabo Rojo
86-1 850	TEXACO PUERTO RICO INC	DAVID SOTO S/S 631	CUESTA NUEVA, KM. 142.4	Aguadilla
86-1 851	TEXACO PUERTO RICO INC	TEODORO ROSA S/S #636	VICTORIA AVE. #485	Aguadilla
86-1 858	Pedro Acosta Crousset	Quemado # 1	Carr 106 km 4.7 Bo Quemado	Mayaguez
86-1 870	Luis Martinez	LUIS MARTINEZ (Relacion Total 2162) S/ #873	RD.1, KM. 87.3, Bo. Coco Viejo	Salinas
86-1 871	TEXACO PUERTO RICO INC	Edwin Almodovar S/S # 865	Calle Berdon #20 Carr. 116 KM 17.1, La Costa	Ensenada



86-1874	Aquiles Quiñones Ortiz	Las Colinas S/S	RAMAL 116, KM 1.0 ENSENADA	Guanica
86-1875	Carlos Rivera Nazario	Gasolinas Triunfo S/S	JOSE I. QUINTON ST. #29	Coamo
86-1876	Samuel Vera Soto	Sammy's Service Station	RD. 435 INT PR 433, CALABAZAS WARD	San Sebastian
86-1877	TEXACO PUERTO RICO INC	Texaco LUIS R. ABRAHAM # 830	SAN JOSE ST. #231	Aibonito
86-1878	TEXACO PUERTO RICO INC	ILIA IRIZARRY S/S #620	65 DE INFANTERIA ST. #21	Lajas
86-2021	Celestino Rosado Alejandro	San Patricio S/S (Ex GULF #383)	CARR #187 KM 10.6, Calle San Patricio 21	Loiza
88-0005	TEXACO PUERTO RICO INC	SABANA SECA S/S #306	STATE ROAD 867 KM 0.1, SABANA SECA WARD	Toa Baja
89-0174	AMERICAN PETROLEUM CORPORATION	American petroleum Post S/S	Carr. #2 KM 186.5, Calle Post esq Cuatro Hermanos	Mayaguez
89-0178	ESSO STANDARD OIL CO PR	ESSO S/ S 2P-329	RD.111 KM 4.5 Bo. Pueblo	Moca
89-0204	Cecilia Lancara	EXPRESS AUTO S/S	RD 185 KM 3.2, CAMPO RICO WARD	Canovanas
90-0031	Santa Paula Oil	SANTA PAULA OIL	PALMA ST. #1304	San Juan
90-0043	TEXACO PUERTO RICO INC	JORGE DAVID CASTRODAD S/S#324	JOSE DE DIEGO ST. #2 RD 172, EXIT COMERIO	Cidra
90-0077	VICTOR M TORRES, JULIO TORRES	Cerro Gordo S/S	RD.916 KM 1.0, CERRO GORDO	San Lorenzo
90-0104	NICOLAS A. PEREZ FELICIANO	NICOLAS A. PEREZ FELICIANO	UNION ST. #104, KM 5.9 RD 101	Lajas
91-0048	TEXACO PUERTO RICO INC	Russell Santiago S/S #305	Carr #887 KM. 2 HM. 3, Bo. San Anton	Carolina
91-0056	Total Petroleum Puerto Rico Corp.	Total Petroleum #1014	TRUJILLO ALTO EXW. & PARK GARDENS	Trujillo Alto
91-0063	V B INVESTMENT, INC.	VB Investment, Inc.	RD 1 KM 57.7, Montellano Ward	Cayey
91-0095	Hauger Martin Hau	Martin Shell Service Center	RD 2, KM 110.1, Arenales Bajos Ward	Isabela
91-0097	Total Petroleum Puerto Rico Corp.	Total Petroleum# 3290	RD. 102 KM 222.4, PUEBLO WARD	Sabana Grande
91-0140	Total Petroleum Puerto Rico Corp.	Total Petroleum #1241	LAGO ALTO SHOPPING CENTER	Trujillo Alto
91-0190	SOL PUERTO LIMITED	SHELL S/S #805033	RD 153 KM 6.9 Coamo By Pass	Coamo
91-0197	TEXACO PUERTO RICO INC	EL PALMAR S/S # 685	RD.111 KM 2.6	Aguadilla
91-0232	SOL PUERTO LIMITED	SHELL S/S #003964	RD 883 KM 4.5 Santa Rosa	Guaynabo
91-0263	SOL PUERTO LIMITED	SHELL S/S #003972	RD 129 & 134, KM 15.2, BAYANEY WARD	Hatillo
91-0277	SOL PUERTO LIMITED	SHELL S/S #804096	MAYOR CANTERA CORNER ACUEDUCTO	Ponce
91-0381	Total Petroleum Puerto Rico Corp.	GPR #1311	RD 2, KM 22.3, PAMPANOS WARD	Ponce
91-0397	Total Petroleum Puerto Rico Corp.	Total Petroleum #1246	RD 150 KM 18.7	Coamo

92-0001	ESSO STANDARD OIL CO PR	ESSO S/S 43441	RD. 144 KM. 4.4	Jayuya
93-0002	SAN JUAN OIL COMPANY	Servicentro de Panama #5	HOSTOS AVE. #1128	Ponce
93-0060	Total Petroleum Puerto Rico Corp.	GASOLINAS DE PUERTO RICO #2135	RD. 119	Camuy
94-0132	GARAGE MOLINO INC	Sunrise Gas Station	RD. 111 KM. 3.6	Lares
94-0142	Ernesto Santiago	Family Service Station #1 (Antes garaje el Punto)	RD. 782 KM 9.3, NARANJO WARD	Comerio
94-0163	Jose Perez de Leon	Cheo S/S I	RD. 165 KM 5.7 INT. RD. 824, QUEBRADA CRUZ WARD	Toa Alta
96-0032	ANTONIO DE JESUS	Gel S/S Borinquen Service Station	Road 2 Km. 6507, Bo. Factor 1	Arecibo
98-0128	Guillermo A. Passalacua	Charneco S/S	Ponce de León esq. calle Cayey	San Juan

# **EXHIBIT E**

# McDermott Will & Emery

Boston Brussels Chicago Düsseldorf Houston London Los Angeles Miami Milan  
Munich New York Orange County Paris Rome Silicon Valley Washington, D.C.  
Strategic alliance with MWE China Law Offices (Shanghai)



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March 29, 2012

## **BY ELECTRONIC MAIL AND LNFS**

Leonard Z. Kaufmann, Esq.  
Cohn Lifland Pearlman Herrmann & Knopf LLP  
Park 80 West - Plaza One  
250 Pehle Ave., Suite 401  
Saddle Brook, NJ 07663

Re: NJDEP, et al., v. Atlantic Richfield Co. et al., No. 08-CIV-00312  
Plaintiffs' Failure to Respond to Letters re: Outstanding Discovery

Dear Lenny:

I write to follow up on Defendants' outstanding requests for documents and information. To date, Plaintiffs have failed to respond to several letters addressing deficiencies in Plaintiffs' production. As you are aware, these requests are months old, and many were previously identified in a deficiency letter sent by Defendants in October 2011. (*Letter from S. Riccardulli to L. Kaufmann* (Oct. 28, 2011).) Please produce the documents identified below by no later than April 12, 2012. If you believe any have already been produced, please provide us with the bates range(s) for the responsive documents.

1. The following documents identified during the October 4, 2011 deposition of Gary Lipsius (November 9, 2011, letter from Lesley Lawrence-Hammer to Leonard Kaufmann):
  - a. Mr. Lipsius' field log notebook;
  - b. an Access database Mr. Lipsius used to track the sites he managed; and
  - c. an Excel spreadsheet Mr. Lipsius used to track the time he spent working on cases.
2. The following documents identified during the February 3, 2011 deposition of Gary Lipsius (November 7, 2011, letter from Shelly Geppert to Leonard Kaufmann):
  - a. A privilege log for document NJDEP-SS-EMAIL-GLipsius-00005947, which was clawed back by Plaintiffs at the deposition;
  - b. the Louis Berger Group term contract; and
  - c. materials related to the MySQL computer program, which Mr. Lipsius used to track cases he worked on.



Leonard Z. Kaufmann, Esq.  
March 29, 2012  
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3. A-280 sampling results, discussed during the deposition of Barker Hamill (July 1, 2011, letter from Lisa Gerson to Leonard Kaufmann, and August 18, 2011, letter from Kevin Bruno to Leonard Kauffman).
4. A replacement witness for Richard Sullivan (August 8, 2011, email from James Maher to Leonard Kauffman).
5. The following materials identified during the 30(b)(6) deposition on organizational structure and decision-making (August 18, 2011, letter from Kevin Bruno to Leonard Kauffman):
  - a. An Access Database containing the hazardous substances list;
  - b. all responsive, non-privileged historical files used to develop the regulations concerning discharges of petroleum and other hazardous substances;
  - c. copies of all meeting minutes of the Drinking Water Quality Institute that are not publicly available;
  - d. copies of all meeting minutes of the Drinking Water Quality Institute's Health Effects Subcommittee, Testing Subcommittee and Treatment Subcommittee, which are not publicly available;
  - e. meeting minutes of the committee concerning rule promulgation for soil remediation standards;
  - f. the Bureau of Environmental Evaluation and Risk Assessment's guidance document concerning soil clean-up standards;
  - g. Standard Operating Procedure concerning soil clean-up standards;
  - h. ground water and surface water guidance documents concerning investigation and remediation;
  - i. all responsive, non-privileged materials relating to the development of technical regulations and soil remediation clean-up standards;
  - j. the New Jersey Outdoors article discussing how NJDEP assesses injury (Plaintiffs did respond to this request by indicating that Mr. Sacco could not locate his copy of the article. *See* letter from Leonard Kaufmann to Kevin Bruno and Dawn Ellison, dated August 24, 2011. Please confirm that this article is not available from other sources within the NJDEP.);
  - k. guidance document concerning the use of certain language in No Further Action Letters; and
  - l. all electronic loose files and emails responsive to any of the noticed deposition topics.
6. The reliance materials requested by Defendants regarding Plaintiffs' January 16, 2012 trial site re-delineations (January 11, 2012, letter from Stephen Riccardulli to Michael Axline & Leonard Kaufmann).

Leonard Z. Kaufmann, Esq.  
March 29, 2012  
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Defendants are also in the process of reviewing Plaintiffs' supplemental production of hard copy files related to the 19 trial sites. Following this review, Defendants will follow up on any additional deficiencies related to the trial sites, as necessary.

We look forward to your prompt response. Please do not hesitate to contact me with any questions.

Very truly yours,

A handwritten signature in cursive script that reads "Stephen J. Riccardulli".

Stephen J. Riccardulli

cc: All counsel of record via LNFS

# **EXHIBIT F**

**Gerson, Lisa**

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**From:** Gerson, Lisa  
**Sent:** Tuesday, April 24, 2012 9:41 AM  
**To:** 'Leonard Z. Kaufmann'  
**Cc:** mdl1358@weitzlux.com; MDL1358  
**Subject:** RE: Letter to L. Kaufmann re Outstanding Discovery Letters

Lenny,

We were expecting a response by April 20th. Please confirm that you will be responding this week.

Thank you.

Lisa A. Gerson  
McDermott Will & Emery LLP  
340 Madison Avenue  
New York, NY 10173  
Tel: 212-547-5769  
Fax: 646-224-8675

**From:** Leonard Z. Kaufmann [<mailto:LZK@NJLAWFIRM.COM>]  
**Sent:** Wednesday, April 11, 2012 8:01 AM  
**To:** Gerson, Lisa  
**Cc:** [mdl1358@weitzlux.com](mailto:mdl1358@weitzlux.com); MDL1358  
**Subject:** RE: Letter to L. Kaufmann re Outstanding Discovery Letters

Lisa – we will be responding to defendants' letter. The response will not be complete by April 12; more likely by April 20.

**From:** Gerson, Lisa [<mailto:LGerson@mwe.com>]  
**Sent:** Thursday, March 29, 2012 7:16 PM  
**To:** Leonard Z. Kaufmann  
**Cc:** [mdl1358@weitzlux.com](mailto:mdl1358@weitzlux.com); MDL1358  
**Subject:** NJ: Letter to L. Kaufmann re Outstanding Discovery Letters

Lenny,

Please see the attached letter. The same will be served on all counsel of record by LNFS.

Regards,

Lisa A. Gerson  
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\*\*\*\*\*  
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# **EXHIBIT G**

# McDermott Will & Emery

Boston Brussels Chicago Düsseldorf Houston London Los Angeles Miami Milan  
Munich New York Orange County Paris Rome Silicon Valley Washington, D.C.  
Strategic alliance with MWE China Law Offices (Shanghai)



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March 2, 2012

## **BY ELECTRONIC MAIL AND LNFS**

Leonard Z. Kaufmann, Esq.  
Cohn Lifland Pearlman Herrmann & Knopf LLP  
Park 80 West - Plaza One  
250 Pehle Ave., Suite 401  
Saddle Brook, NJ 07663

Re: NJDEP, et al., v. Atlantic Richfield Co. et al., No. 08-CIV-00312  
Defendants' Deposition Notices

Dear Lenny:

As you will recall, during a meet and confer last fall regarding Plaintiffs' ESI production, Defendants agreed to postpone scheduling of a number of noticed depositions. This agreement stemmed from the fact that Plaintiffs' non-site-specific ESI production would not be complete until February 15, 2012. Following Plaintiffs' representation in October 2011 that their site-specific ESI was complete, Defendants resumed noticing site-specific depositions. More recently, with Plaintiffs' final ESI deadline approaching—and now passed—Defendants have noticed additional non-site-specific depositions. There are now more than 30 depositions that need to be scheduled and more will be noticed in the coming months before the close of fact discovery. At the current rate of scheduling, there is no doubt that a large back-log of depositions will remain when discovery closes in July. The purpose of the monthly deposition limit was to avoid such a back-log. Defendants have noticed the depositions in accordance with the monthly limit. As such, we expect Plaintiffs to start to produce witnesses at a rate consistent with the monthly limit, so as to avoid a larger back-log than will already exist. Defendants therefore request that dates be provided for the below deponents as soon as possible.<sup>1, 2</sup>

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<sup>1</sup> Although the below list does not address deposition location, Defendants reserve the right to notice depositions for locations other than NJDEP's office in Trenton. Alternative locations may be noticed due to deposition-specific circumstances or to address continuing substandard room conditions at NJDEP—e.g. there was no working phone line readily available at the recent deposition of Frank Pinto.

<sup>2</sup> Certain depositions are not included on the below list because counsel taking the deposition has been in touch with you directly regarding scheduling. These include Donna Plummer, William O'Sullivan, Chris Salmi, John Elston, Sam Wolfe, the 30(b)(6) on RFG, and Tim Nuss.

Leonard Z. Kaufmann, Esq.  
March 2, 2012  
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Defendants remain available to discuss these issues.

Very truly yours,

*Stephen J. Riccardulli*

Stephen J. Riccardulli

cc: All counsel of record via LNFS

Leonard Z. Kaufmann, Esq.  
 March 2, 2012  
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<b><u>Deponent/30(b)(6) Topic</u></b>	<b><u>Original Notice Date</u></b>
Amy Cradic	05/21/2010
John Sacco <sup>3</sup>	05/21/2010
Sandra Kreitzman <sup>3</sup>	05/21/2010
Gloria Post <sup>3</sup>	05/21/2010
Lubow Jowa	05/21/2010
30(b)(6) Early MTBE Remediation Sites <sup>3</sup>	04/29/2011
Earnest Hahn	05/23/2011
Irene Kropp	07/29/2011
Robert Soboleski	08/18/2011
Wayne Howitz	08/19/2011
Daniel Van Abs	08/22/2011
Richard Gimello	08/26/2011
Tamcrest Trial Site 30(b)(6)	09/15/2011
Grace Jacobs	09/20/2011
John Blankenship	09/21/2011
Institutional Controls 30(b)(6)	09/26/2011
Skyline 30(b)(6)	09/29/2011
Scarborough 30(b)(6)	10/20/2011
Sergio Honl	12/09/2011
NJDOT Maintenance Yard 30(b)(6)	01/18/2012
RC Cape May 30(b)(6)	01/19/2012
Bayside Prison 30(b)(6)	01/23/2012
Jason Varano	01/24/2012

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<sup>3</sup> Defendants anticipate that two days will be needed for these witnesses. Therefore, please propose scheduling options with consecutive days. Defendants reserve the right to hold all depositions for two days, although not specifically noted here.



Leonard Z. Kaufmann, Esq.  
 March 2, 2012  
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<u>Deponent/30(b)(6) Topic</u>	<u>Original Notice Date</u>
John Piccolo	01/27/2012
David Sweeney	01/30/2012
Colts Neck DWP 30(b)(6)	01/31/2012
Faith Dobry	02/24/2012
Jonathan Berg	02/27/2012
Martha Goodwin	02/28/2012
Amy Hillman	02/29/2012
Tinton Falls 30(b)(6)	02/29/2012
Maple Shade 30(b)(6) <sup>4</sup>	03/23/2012

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<sup>4</sup> Although the notice date has not yet passed for this deposition, in the interest of efficiency we include it here in the hopes that the discussion on scheduling can begin.

# **EXHIBIT H**

# McDermott Will & Emery

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March 12, 2012

**BY ELECTRONIC MAIL AND LNFS**

Leonard Z. Kaufmann, Esq.  
Cohn Lifland Pearlman Herrmann & Knopf LLP  
Park 80 West - Plaza One  
250 Pehle Ave., Suite 401  
Saddle Brook, NJ 07663

Re: NJDEP, et al., v. Atlantic Richfield Co. et al., No. 08-CIV-00312  
Defendants' 30(b)(6) Deposition Notices

Dear Lenny:

This letter is a follow-up to my March 2, 2012 letter regarding Defendants' deposition notices, generally. While Plaintiffs have offered dates for certain percipient witnesses since that time, the fact remains that *only one* of Defendants thirteen outstanding 30(b)(6) notices has been scheduled. Defendants remain concerned with the pace at which all depositions—particularly the 30(b)(6)'s—are being scheduled. Please proceed with providing dates for the 30(b)(6) depositions that Defendants have noticed.<sup>1</sup>

In addition, Defendants are concerned by Plaintiffs' exceedingly delayed service of objections to Defendants' 30(b)(6) Notice on Shell Service Station #138490. This deposition notice was served on September 26, 2011.<sup>2</sup> Yet, Plaintiffs waited more than five months—until March 2, 2012—to serve objections. Then, only *after* waiting five months to serve objections, Plaintiffs decided to seek a protective order from the Special Master, further delaying completion of this deposition. Plaintiffs' dilatory tactics are severely threatening the discovery schedule set by this Court.

Moreover, nine of the thirteen outstanding 30(b)(6) depositions were noticed for dates beginning last fall through January 2012. Having not heard from Plaintiffs, Defendants assume that Plaintiffs are not objecting to these deposition notice. If Plaintiffs plan to object, Defendants

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<sup>1</sup> Defendants except from this request the 30(b)(6) deposition notice on RFG, which is being postponed pending the Court's decision on deliberative process privilege.

<sup>2</sup> The amended notice served February 7, 2012 does not justify Plaintiffs' late objections. This notice contained no substantive changes as it was amended as to date only.

Leonard Z. Kaufmann, Esq.

March 12, 2012

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request that any such objections be served no later than March 16, 2012, although Defendants reserve their right to argue that any such objections are untimely at this point.

Defendants remain available to discuss these issues with you.

Very truly yours,

A handwritten signature in cursive script, reading "Stephen J. Riccardulli". The ink is dark and the signature is fluid, with a prominent loop at the end of the last name.

Stephen J. Riccardulli

cc: All counsel of record via LNFS